

REMARKS/ARGUMENT

Claims 1, 2, 4, and 5 have been amended herein, and claim 6 has been added. Accordingly, claims 1-6 are currently pending in the present application. It is respectfully submitted that new claim 6 and the claim amendments do not add new matter and have adequate support throughout the Specification.

Otherwise, Applicants respectfully traverse all objections and claim rejections for the reasons that follow:

I. OBJECTION TO THE DRAWINGS

The Examiner has objected to Figure 1 because the Figure is not labeled "Prior Art." Submitted herewith on a separate sheet of paper is a "Request for Entry of Proposed Drawing Corrections," together with a red-lined version of Figure 1 labeling the illustration therein as "Prior Art." The red-lined version also corrects for a mis-match of reference characters. It is respectfully submitted that the drawing corrections do not add new matter and have adequate support throughout the Specification. It is kindly requested that the objection to the drawings be withdrawn.

II. REJECTIONS OF CLAIMS 1-5 UNDER 35 U.S.C. § 102(e)

Claims 1-5 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,565,159 to Kosak (hereinafter "Kosak").¹ Respectfully, Applicants traverse.

Claim 1 relates to "[a] wheel bearing comprising: a fixed part for accommodating a brake caliper; a wheel carrier; connecting elements connecting the fixed part to the wheel carrier; and at least one projection integrated with at least one of the fixed part, the wheel carrier and the connecting elements for transmitting to the wheel carrier a torque acting in the fixed part during braking."

¹ It appears that the Examiner's reference to U.S. Patent No. 5,565,159, instead of 6,565,159 is a typographical error.

Kosak relates to an aluminum wheel carrier and spindle assembly. (Kosak; Abstract). The spindle assembly includes a suspension system 10 having a dead axle 11 and a wheel carrier 12 mounted thereto. Wheel carrier 12 supports a cylindrical spindle 13, and a wheel hub 14 is mounted to cylindrical spindle 13 by means of a grease seal 15, bearings 16 and 17, an adjusting nut 18, a nut retainer 19, a cotter pin 20, and a grease cap 21. (Kosak; col. 2, lines 24-31). In one embodiment, an insert 45 having a sleeve 46 is placed within a bore in the wheel carrier 12, and the cylindrical spindle 13 is press-fit therein to provide the mounting between the wheel hub 14 and the cylindrical spindle 13. (Kosak; col. 3, lines 27-41).

It is respectfully submitted that Kosak does not disclose "a fixed part for accommodating a brake caliper," as recited in claim 1. Kosak is directed to the general field of spindle mounts for tires and, as such, is not related in any way whatsoever to braking, brakes, or brake calipers. No figure of Kosak illustrates a brake caliper or any structure configured to accommodate a brake caliper. In fact the words "brake" and "caliper" do not even appear in Kosak. The examiner disagrees citing supposed "bosses" 12 as disclosing this feature. (Office Action, page 2, ¶ 3). However, reference character 12 of Kosak refers only to the wheel carrier in general, not to any particular portion of the wheel carrier, much less supposed "bosses."

Further regarding claim 1, it is respectfully submitted that Kosak does not disclose "at least one projection integrated with at least one of the fixed part, the wheel carrier and the connecting elements for transmitting to the wheel carrier a torque acting in the fixed part during braking." The Examiner disagrees and asserts that sleeve 46 of insert 45 discloses this feature. However, as described above, the spindle 13 is press-fit into the sleeve 46 to provide a mount between the spindle 13 and the wheel hub 14. Thus, even if Kosak disclosed a brake caliper (which it does not), it would apply braking torques directly to the wheel bearing via the wheel hub 14, bypassing sleeve 46 of insert 45 altogether. Therefore, the sleeve 46 of insert 45 cannot be considered a projection "for transmitting to the wheel carrier a torque acting in the fixed part during braking," as recited in claim 1.

For at least the foregoing reasons, it is respectfully submitted that claim 1 is allowable over Kosak. Furthermore, since claims 2-5 ultimately depend from claim 1, it is respectfully submitted that these claims are allowable over Kosak for at least the same reasons.

Accordingly, it is kindly requested that the rejections of claims 1-5 under 35 U.S.C. § 102(e) be withdrawn.

III. NEW CLAIM 6

Claim 6 has been added herein. It is respectfully submitted that claim 6 does not add new matter and has adequate support throughout the Specification. It is also respectfully submitted that claim 6 is allowable over Kosak at least because this claim depends from claim 1, which is allowable over Kosak for the reasons discussed above.

IV. CONCLUSION

In view of the foregoing, it is respectfully submitted that all pending claims are currently in allowable condition. Accordingly, reconsideration and prompt allowance of all pending claims is therefore earnestly solicited.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450, on June 11, 2004

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Respectfully submitted,



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